

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**MARK ALAN MEHNER,**

**Defendant.**

)  
)  
)  
)  
)  
)  
)  
)  
)  
)  
)

**8:07CR83**

**ORDER**

This matter is before the court on defendant's motion for extension of time to file pretrial motions [17]. The defendant requests a 90-day continuance because new counsel was recently retained. Due to the length of the extension sought, compliance with NECrimR 12.3(a)<sup>1</sup> will be required.

**IT IS ORDERED** that defendant's motion for extension of time [17] is held in abeyance pending the filing of defendant's affidavit or declaration pursuant to NECrimR 12.3(a). The affidavit or declaration shall be filed no later than July 16, 2007.

**DATED July 11, 2007.**

**BY THE COURT:**

**s/ F.A. Gossett  
United States Magistrate Judge**

---

<sup>1</sup>NECrimR 12.3(a) provides, in part:

If the defendant is a moving party, the motion for extension of time to file pretrial motions shall be accompanied by the defendant's affidavit or declaration (*see* 28 U.S.C. § 1746) stating that defendant:

- (1) Has been advised by counsel of the reasons for seeking an extension;
- (2) Understands that the time sought by the extension may be excluded from any calculation of time under the Speedy Trial Act, 18 U.S.C. §3161 et seq.; and
- (3) With this understanding and knowledge, agrees to the filing of the motion.